

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

Board of Trustees Sheet Metal Workers' National
Pension Fund, et al.,

Plaintiffs

vs.

5:04-MC-117 (FJS/DEP)

Healthy Air Balance, Inc., *doing business as HABCO Bal. Inc.*,
doing business as HABCO Balance Inc., *doing business as*
HABCO, *doing business as Healthy Air Balance Company Inc.*,

Defendant

MINUTE ORDER

The Court has been advised by counsel that for now the matters raised in this action have been resolved and all presently contemplated proceedings in this Court have been completed, though the plaintiff reserves the right to request additional relief in the future. Since it appears at this time that there is no further reason to maintain this action on the open docket for statistical purposes,

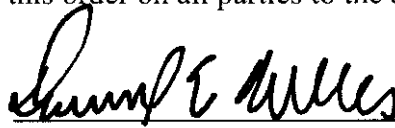
IT IS HEREBY ORDERED THAT: the Clerk of the Court is instructed to submit a JS-6 (using Statistical Code 18) to the Administrative Office of the U.S. Courts.

The parties are advised that nothing contained in this minute order shall be considered a dismissal or disposition of the above entitled action, and should further proceedings in it become necessary or desirable, any party may reopen the action by advising the Court in writing that additional relief is needed.

Upon notification to reopen the action, the parties are directed to request a conference with the Court so that the outstanding matter can be resolved.

The clerk of the Court is directed to serve a copy of this order on all parties to the action.

Date: October 5, 2005
Syracuse, New York



Hon. David E. Peebles
U.S. Magistrate Judge